

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:17-cv-09378-VEC**

Bonner v. Department of Defense et al
Assigned to: Judge Valerie E. Caproni
Related Case: 1:18-cv-01315-VEC
Cause: 05:552 Freedom of Information Act

Date Filed: 11/30/2017
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Raymond Bonner

represented by **Hannah Bloch-Wehba**
Media Freedom & Information Access
Clinic
P.O. Box 208215
New Haven, CT 06520-8215
(203) 436-5824
Email: hannah.bloch-wehba@yale.edu
ATTORNEY TO BE NOTICED

David A. Schulz
Ballard Spahr LLP (NYC)
1675 Broadway, 19th Floor
New York, NY 10019
(212) 850-6103
Fax: (212) 223-1942
Email: schulzd@ballardspahr.com
ATTORNEY TO BE NOTICED

V.

Defendant

Department of Defense

represented by **Christopher Kendrick Connolly**
United States Attorney's Office
SDNY
86 Chambers Street
3 Floor
New York, NY 10007
(212) 637-2761
Fax: (212) 637-2786
Email: christopher.connolly@usdoj.gov
ATTORNEY TO BE NOTICED

Sarah Sheive Normand
U.S. Attorney's Office, SDNY (86
Chambers St.)
86 Chambers Street
New York, NY 10007
(212) 637-2200
Fax: (212) 637-2686
Email: sarah.normand@usdoj.gov
ATTORNEY TO BE NOTICED

Defendant

Central Intelligence Agency

represented by **Christopher Kendrick Connolly**
(See above for address)
ATTORNEY TO BE NOTICED

Sarah Sheive Normand
(See above for address)

Defendant**Federal Bureau Of Investigation**represented by **Christopher Kendrick Connolly**
(See above for address)
ATTORNEY TO BE NOTICED**Sarah Sheive Normand**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/30/2017	<u>1</u>	COMPLAINT against Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation. (Filing Fee \$ 400.00, Receipt Number 0208-14419618) Document filed by Raymond Bonner. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M)(Schulz, David) (Entered: 11/30/2017)
11/30/2017	<u>2</u>	CIVIL COVER SHEET filed. (Schulz, David) (Entered: 11/30/2017)
11/30/2017	<u>3</u>	FILING ERROR – DEFICIENT PLEADING – FILED AGAINST PARTY ERROR –REQUEST FOR ISSUANCE OF SUMMONS as to Department of Defense, re: <u>1</u> Complaint,. Document filed by Raymond Bonner. (Schulz, David) Modified on 12/1/2017 (pc). (Entered: 11/30/2017)
11/30/2017	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Central Intelligence Agency, re: <u>1</u> Complaint,. Document filed by Raymond Bonner. (Schulz, David) (Entered: 11/30/2017)
11/30/2017	<u>5</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Federal Bureau of Investigation, re: <u>1</u> Complaint,. Document filed by Raymond Bonner. (Schulz, David) (Entered: 11/30/2017)
11/30/2017	<u>6</u>	FILING ERROR – DEFICIENT PLEADING – FILED AGAINST PARTY ERROR –REQUEST FOR ISSUANCE OF SUMMONS as to United States Attorney General, re: <u>1</u> Complaint,. Document filed by Raymond Bonner. (Schulz, David) Modified on 12/1/2017 (pc). (Entered: 11/30/2017)
11/30/2017	<u>7</u>	FILING ERROR – DEFICIENT PLEADING – FILED AGAINST PARTY ERROR –REQUEST FOR ISSUANCE OF SUMMONS as to United States Attorney's Office, Southern District of New York, re: <u>1</u> Complaint,. Document filed by Raymond Bonner. (Schulz, David) Modified on 12/1/2017 (pc). (Entered: 11/30/2017)
12/01/2017		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Valerie E. Caproni. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (pc) (Entered: 12/01/2017)
12/01/2017		Magistrate Judge Debra C. Freeman is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php . (pc) (Entered: 12/01/2017)
12/01/2017		Case Designated ECF. (pc) (Entered: 12/01/2017)
12/01/2017		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney David A. Schulz to RE-FILE Document No. <u>3</u> Request for Issuance of Summons,. The filing is deficient for the following reason(s): Party name on the summons must exactly match what is listed on the complaint caption title. Re-file the document using the event type

		Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (pc) (Entered: 12/01/2017)
12/01/2017		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney David A. Schulz to RE-FILE Document No. <u>6</u> Request for Issuance of Summons, <u>7</u> Request for Issuance of Summons,. The filing is deficient for the following reason(s): the wrong filer/filers were selected for the request for issuance of summons; Summonses can only be issued to parties listed on the complaint caption title. Re-file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (pc) (Entered: 12/01/2017)
12/01/2017	<u>8</u>	ELECTRONIC SUMMONS ISSUED as to Federal Bureau Of Investigation. (pc) (Entered: 12/01/2017)
12/01/2017	<u>9</u>	ELECTRONIC SUMMONS ISSUED as to Central Intelligence Agency. (pc) (Entered: 12/01/2017)
12/01/2017	<u>10</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Department of Defense, re: <u>1</u> Complaint,. Document filed by Raymond Bonner. (Schulz, David) (Entered: 12/01/2017)
12/04/2017	<u>11</u>	ELECTRONIC SUMMONS ISSUED as to Department of Defense. (pc) (Entered: 12/04/2017)
12/04/2017	<u>12</u>	NOTICE OF INITIAL PRETRIAL CONFERENCE: Initial Conference set for 1/5/2018 at 10:00 AM in Courtroom 443, 40 Centre Street, New York, NY 10007 before Judge Valerie E. Caproni. (Signed by Judge Valerie E. Caproni on 12/4/2017) (kgo) (Entered: 12/04/2017)
12/22/2017	<u>13</u>	NOTICE OF APPEARANCE by Sarah Sheive Normand on behalf of Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation. (Normand, Sarah) (Entered: 12/22/2017)
12/22/2017	<u>14</u>	LETTER MOTION to Adjourn Conference <i>and Deadline for Joint Preconference Letter</i> addressed to Judge Valerie E. Caproni from AUSA Sarah S. Normand dated December 22, 2017. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Normand, Sarah) (Entered: 12/22/2017)
12/27/2017	<u>15</u>	ORDER granting <u>14</u> Letter Motion to Adjourn Conference. The January 5, 2018 Initial Pretrial Conference is adjourned to January 26, 2018 at 10:00 a.m., Courtroom 443, Thurgood Marshall U.S. Courthouse. The deadline to submit a joint letter and proposed Case Management Plan is adjourned to January 18, 2018. SO ORDERED. (Signed by Judge Valerie E. Caproni on 12/27/2017) (rj) (Entered: 12/29/2017)
01/08/2018	<u>16</u>	NOTICE OF APPEARANCE by Christopher Kendrick Connolly on behalf of Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation. (Connolly, Christopher) (Entered: 01/08/2018)
01/09/2018	<u>17</u>	SUMMONS RETURNED EXECUTED (FOIA CASE) Summons and Complaint, served. Department of Defense served on 12/6/2017, answer due 1/5/2018. Service was accepted by Denise Shellman – Paralegal. Document filed by Raymond Bonner. (Schulz, David) (Entered: 01/09/2018)
01/09/2018	<u>18</u>	SUMMONS RETURNED EXECUTED (FOIA CASE) Summons and Complaint, served. Service was accepted by Desiree Brown, authorized person at office of US Attorney General. Document filed by Raymond Bonner. (Schulz, David) (Entered: 01/09/2018)
01/09/2018	<u>19</u>	SUMMONS RETURNED EXECUTED (FOIA CASE) Summons and Complaint, served. Federal Bureau Of Investigation served on 12/6/2017, answer due 1/5/2018. Service was accepted by Steven J. Parker, Assistant General Counsel. Document filed by Raymond Bonner. (Schulz, David) (Entered: 01/09/2018)
01/09/2018	<u>20</u>	SUMMONS RETURNED EXECUTED (FOIA CASE) Summons and Complaint, served. Service was accepted by Desiree Brown, authorized agent for service at office

		of US Attorney General (for FBI). Document filed by Raymond Bonner. (Schulz, David) (Entered: 01/09/2018)
01/09/2018	<u>21</u>	SUMMONS RETURNED EXECUTED (FOIA CASE) Summons and Complaint, served. Central Intelligence Agency served on 12/6/2017, answer due 1/5/2018. Service was accepted by Zack J., Esquire, authorized to accept service for CIA. Document filed by Raymond Bonner. (Schulz, David) (Entered: 01/09/2018)
01/09/2018	<u>22</u>	SUMMONS RETURNED EXECUTED (FOIA CASE) Summons and Complaint, served. Service was accepted by Desiree Brown, authorized agent for service at office of US Attorney General (for CIA). Document filed by Raymond Bonner. (Schulz, David) (Entered: 01/09/2018)
01/10/2018	<u>23</u>	ANSWER to <u>1</u> Complaint,. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Normand, Sarah) (Entered: 01/10/2018)
01/18/2018	<u>24</u>	LETTER addressed to Judge Valerie E. Caproni from Christopher Connolly dated January 18, 2018 re: parties' joint pre-conference letter. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 01/18/2018)
01/25/2018	<u>25</u>	LETTER addressed to Judge Valerie E. Caproni from AUSA Christopher Connolly dated January 25, 2018 re: parties' joint proposed schedule. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 01/25/2018)
01/25/2018	<u>26</u>	LETTER addressed to Judge Valerie E. Caproni from AUSA Christopher Connolly dated January 25, 2018 re: potential recusal issue under the personal-knowledge provision of 28 U.S.C. § 455(b)(1). Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 01/25/2018)
01/26/2018		Minute Entry for proceedings held before Judge Valerie E. Caproni: Initial Pretrial Conference held on 1/26/2018. Order to follow. (Court Reporter Pamel Utter) (Brantley, Michael) (Entered: 01/26/2018)
01/26/2018	<u>27</u>	ORDER: IT IS HEREBY ORDERED that the parties must submit a joint letter regarding the status of this case by March 16, 2018. If any party wishes to move for recusal of this Court, it should do so as soon as possible. (Signed by Judge Valerie E. Caproni on 1/26/2018) (ap) (Entered: 01/26/2018)
02/02/2018	<u>28</u>	NOTICE OF CHANGE OF ADDRESS by David A. Schulz on behalf of Raymond Bonner. New Address: Ballard Spahr LLP, 1675 Broadway, 19th Floor, New York, NY, US 10019-5820, 212-850-6103. (Schulz, David) (Entered: 02/02/2018)
02/13/2018	<u>29</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 1/26/2018 before Judge Valerie E. Caproni. Court Reporter/Transcriber: Pamela Utter, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 3/6/2018. Redacted Transcript Deadline set for 3/16/2018. Release of Transcript Restriction set for 5/14/2018.(McGuirk, Kelly) (Entered: 02/13/2018)
02/13/2018	<u>30</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 1/26/18 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 02/13/2018)
02/14/2018	<u>31</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION for Hannah Bloch-Wehba to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-14701723. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Raymond Bonner. (Attachments: # <u>1</u> Exhibit A – Certificate of Good Standing, # <u>2</u> Exhibit B – Certificate of Good Standing, # <u>3</u> Affidavit in support of application for admission Pro Hac Vice, # <u>4</u> Text of Proposed

		Order)(Bloch–Wehba, Hannah) Modified on 2/14/2018 (jc). (Entered: 02/14/2018)
02/14/2018		>>>NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice to RE–FILE Document No. <u>31</u> MOTION for Hannah Bloch–Wehba to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–14701723. Motion and supporting papers to be reviewed by Clerk's Office staff... The filing is deficient for the following reason(s): Attorney Affidavit is missing some of the language required by Local Rule 1.3, i.e. whether the applicant has ever been convicted of a felony AND whether the applicant has ever been censured, suspended, disbarred or denied admission or readmission by any court. Re–file the motion as a Motion to Appear Pro Hac Vice – attach the correct signed PDF – select the correct named filer/filers – attach valid Certificates of Good Standing issued within the past 30 days – attach Attorney Affidavit – attach Proposed Order. (jc) (Entered: 02/14/2018)
02/19/2018	<u>32</u>	MOTION for Hannah Bloch–Wehba to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Raymond Bonner. (Attachments: # <u>1</u> Affidavit of Hannah Bloch–Wehba in Support of Motion to Appear Pro Hac Vice, # <u>2</u> Exhibit Certificate of Good Standing for State Bar of Texas, # <u>3</u> Exhibit Certificate of Good Standing for D.C. Bar, # <u>4</u> Text of Proposed Order)(Bloch–Wehba, Hannah) (Entered: 02/19/2018)
02/20/2018		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>32</u> MOTION for Hannah Bloch–Wehba to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb) (Entered: 02/20/2018)
02/26/2018	<u>33</u>	ORDER FOR ADMISSION PRO HAC VICE granting <u>32</u> Motion for Hannah Bloch–Wehba to Appear Pro Hac Vice. (Signed by Judge Valerie E. Caproni on 2/26/2018) (mro) (Entered: 02/26/2018)
03/16/2018	<u>34</u>	LETTER addressed to Judge Valerie E. Caproni from AUSA Christopher Connolly dated March 16, 2018 re: parties' joint status update. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 03/16/2018)
03/19/2018	<u>35</u>	MEMO ENDORSEMENT on re: <u>34</u> Letter, filed by Federal Bureau Of Investigation, Department of Defense, Central Intelligence Agency. ENDORSEMENT: The Court approves Defendants' revised production schedule. The parties must submit joint status updates on the first day of each month (or on the Monday following the first day, if the first day falls on a weekend) until all productions are completed. SO ORDERED. (Signed by Judge Valerie E. Caproni on 3/19/2018) (mt) (Entered: 03/20/2018)
04/02/2018	<u>36</u>	STATUS REPORT. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 04/02/2018)
05/01/2018	<u>37</u>	STATUS REPORT. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 05/01/2018)
06/01/2018	<u>38</u>	LETTER addressed to Judge Valerie E. Caproni from AUSA Sarah S. Normand dated June 1, 2018 re: Joint Status Report. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Normand, Sarah) (Entered: 06/01/2018)
07/02/2018	<u>39</u>	STATUS REPORT. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 07/02/2018)
08/02/2018	<u>40</u>	STATUS REPORT. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 08/02/2018)
08/29/2018	<u>41</u>	LETTER MOTION for Extension of Time addressed to Judge Valerie E. Caproni from AUSA Christopher Connolly dated August 29, 2018. Document filed by Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 08/29/2018)

08/29/2018	<u>42</u>	ORDER: granting <u>41</u> Letter Motion for Extension of Time. Application GRANTED. SO ORDERED. (Signed by Judge Valerie E. Caproni on 8/29/2018) (ama) (Entered: 08/30/2018)
08/31/2018	<u>43</u>	STATUS REPORT. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 08/31/2018)
10/01/2018	<u>44</u>	STATUS REPORT. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 10/01/2018)
11/01/2018	<u>45</u>	STATUS REPORT. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 11/01/2018)
12/03/2018	<u>46</u>	STATUS REPORT. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 12/03/2018)
12/27/2018	<u>47</u>	STANDING ORDER M10-468: The United States Attorney's Office shall notify the Court immediately upon the restoration of Department of Justice funding. (As further set forth in this Order.) (Signed by Judge Colleen McMahon on 12/27/2018) (mro) (Entered: 01/02/2019)
12/27/2018		Case Stayed (ne) (Entered: 01/17/2019)
12/27/2018		Terminate Transcript Deadlines (ne) (Entered: 01/17/2019)
02/01/2019	<u>48</u>	STATUS REPORT. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 02/01/2019)
04/01/2019	<u>49</u>	STATUS REPORT. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 04/01/2019)
05/01/2019	<u>50</u>	STATUS REPORT. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 05/01/2019)
06/03/2019	<u>51</u>	STATUS REPORT. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Normand, Sarah) (Entered: 06/03/2019)
07/01/2019	<u>52</u>	STATUS REPORT. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 07/01/2019)
08/01/2019	<u>53</u>	STATUS REPORT. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 08/01/2019)
09/03/2019	<u>54</u>	STATUS REPORT. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 09/03/2019)
10/01/2019	<u>55</u>	STATUS REPORT. Document filed by Central Intelligence Agency, Department of Defense, Federal Bureau Of Investigation.(Connolly, Christopher) (Entered: 10/01/2019)
10/02/2019	<u>56</u>	MEMO ENDORSEMENT on re: (37 in 1:18-cv-01315-VEC) Status Report filed by Central Intelligence Agency, (55 in 1:17-cv-09378-VEC) Status Report filed by Federal Bureau Of Investigation, Department of Defense, Central Intelligence Agency. ENDORSEMENT: Application GRANTED. The next status update is due on November 1, 2019. (Signed by Judge Valerie E. Caproni on 10/2/2019) (mro) (Entered: 10/02/2019)